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Attorneys for Plaintiff-in-Limitation
JAMES C. BRADFORD

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

In the matter of JAMES C. BRADFORD, an)
individual, as owner of LOW SPEED)
CHASE CF #1096633, for exoneration from)
or limitation of liability)

Case No. C 12 5999 SBA

**JOINT STIPULATION AND ORDER TO
LIFT THE STAY ON THE RELATED
STATE ACTION ARISING OUT OF THE
INCIDENT INVOLVING THE LOW
SPEED CHASE CF #1096633 ON APRIL
14, 2012**

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1 WHEREAS this litigation rises out of a sailboat racing accident on April 14, 2012,
2 involving the LOW SPEED CHASE CF #1096633 ("Vessel") owned by JAMES C.
3 BRADFORD ("Plaintiff-in-Limitation");

4 AND WHEREAS Plaintiff-in-Limitation filed a Complaint for Exoneration From or
5 Limitation of Liability ("Limitation Action") in regard to this accident pursuant to 46 U.S.C.S. §
6 30501, *et seq.*, praying for the Court to issue an order enjoining the commencement and/or
7 prosecution of any and all actions arising out of the accident described above;

8 AND WHEREAS the Court issued an Order enjoining all other actions arising out of this
9 accident on February 14, 2013. (Attached as Exhibit "A" is a copy of said Order.)

10 AND WHEREAS COREY BUSCH and NICHOLAS VOS ("Claimants") have now
11 stipulated to protect Plaintiff-in-Limitation's right to continue to pursue its Limitation Action in
12 this Court. (Attached as Exhibit "B" is a copy of said stipulation.)

13 AS SUCH, IT IS HEREBY STIPULATED AND AGREED by Plaintiff-in-Limitation
14 and Claimants that this Court may lift the stay on related actions, and allow the Claimants to
15 pursue their liability claims arising out of the aforementioned accident in California Superior
16 Court, County of San Francisco.

17 IT IS HEREBY FURTHER STIPULATED AND AGREED that the Court abstain from
18 hearing or proceeding any further on the Limitation Action until the California Superior Court,
19 County of San Francisco determines whether Plaintiff-in-Limitation is liable for any damages
20 arising out of the accident, and if so, whether this liability exceeds the limitation fund of
21 \$10,000.00.

22 IT IS HEREBY FURTHER STIPULATED AND AGREED that given the parties'
23 stipulation and agreement to return to San Francisco Superior Court for a determination of

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liability, Claimants hereby withdraw their Motion to Strike Plaintiff-in-Limitation's Eighth Affirmative Defense currently under submission with this Court, and the Court shall abstain from any ruling on this motion.

Dated: October 15, 2013

GIBSON ROBB & LINDH LLP

By: S/ MARKER E. LOVELL, JR.

Marker E. Lovell, Jr.

mlovell@gibsonrobb.com

Attorneys for Plaintiff-in-Limitation

JAMES C. BRADFORD

Dated: October 15, 2013

McGUINN, HILLSMAN & PALEFSKY

By: S/ JOHN R. HILLSMAN

John R. Hillsman

uroy3@aol.com

Attorneys for Claimants

COREY BUSCH and NICHOLAS VOS

Marker E. Lovell, Jr., attests that in concurrence with the filing of this document consent of all other signatories identified herein have been obtained.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: October 16, 2013



Saundra B. Armstrong

U.S. District Court Judge

UNITED STATES DISTRICT COURT

Northern District of California